

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

March 4, 2014

The Honorable Darrell Steinberg
President Pro Tempore
California State Senate
State Capitol, Room 205
Sacramento, CA 95814

Dear Senator Steinberg:

We write to express our opposition to your efforts to alter California's long-established Medical Injury Compensation Reform Act, or MICRA, which caps non-economic damages in medical malpractice lawsuits.

Since it was signed into law by Governor Jerry Brown during his first term as Governor in 1975, California's MICRA law has made a significant difference in holding down medical liability costs that were skyrocketing before its enactment.

By limiting non-economic damage awards to a reasonable amount, and ensuring that more money goes to patients who were actually harmed, MICRA has preserved the availability of more affordable health care options for all Californians. At the same time, California's MICRA law was carefully crafted to fully compensate injured patients by placing no limits on punitive damages or the economic damages that can be recovered.

Because of MICRA, California's medical malpractice costs are much lower than other states. For example, California OB-GYN's pay approximately \$71,000 in annual liability costs, compared with nearly \$185,000 in New York and nearly \$191,000 in Florida. It has been reported that many counties in New York lack access to specialists in part because of that state's high malpractice costs.

California already has a significant physician shortage. We should not make that problem worse by weakening MICRA, which is what will happen if your efforts become law.

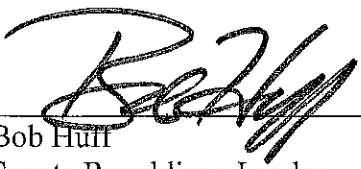
We are deeply troubled that any effort to change MICRA, however well intentioned, will turn the clock back on the progress made in containing costs, while exposing doctors and health care providers to more junk lawsuits. One study estimated that health care costs in California would

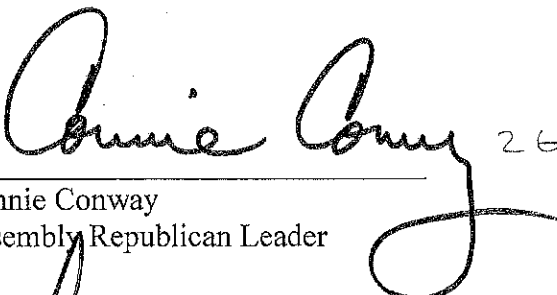
rise by at least \$9.9 billion each year – or more than \$1,000 for every California family of four – if the MICRA caps were lifted from \$250,000 to more than \$1 million as some have proposed.

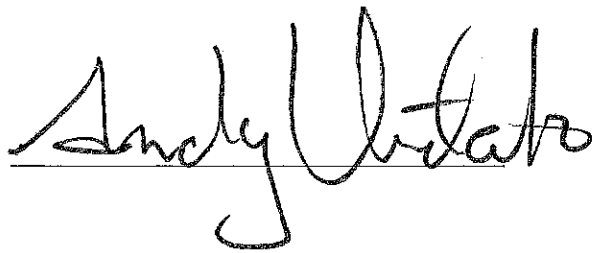
Like you, we are concerned about a potentially-bruising and certainly expensive initiative campaign on the issue. But we trust the voters to make the right decision if a reckless measure is placed on the ballot. However, any effort to alter the MICRA formula will be seen as the Legislature surrendering its resolve to uphold critical reforms that have lowered costs while still protecting patients.

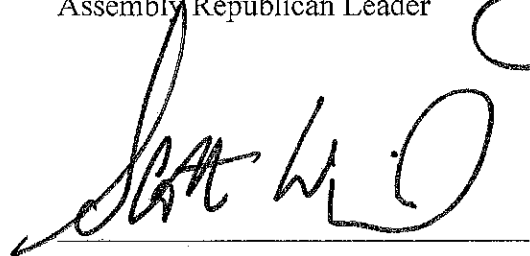
For our part, Republicans will oppose any legislative efforts to undermine MICRA, as we believe those changes will hurt our economy and threaten access to affordable health care.

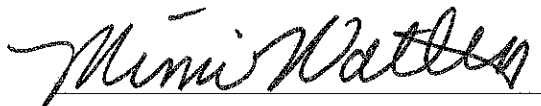
Sincerely,

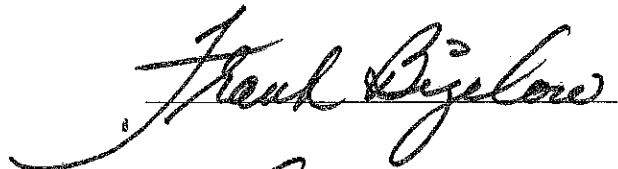

Bob Huff
Senate Republican Leader

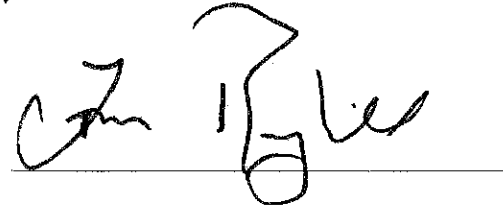

Connie Conway
Assembly Republican Leader

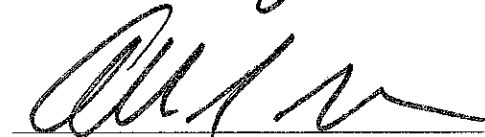


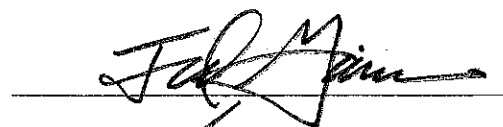

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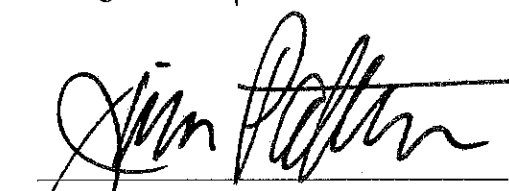


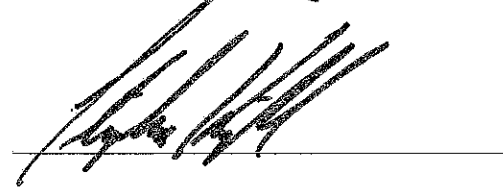

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Brian Talle

Donald Wagner 68

Greg J. Hall 60

Bob 71

Tina Ann 72

Chuck Linn ^{MICHA} 34

Marie Waldron 75

A. Peters 42

Ann 55

H. Gould 44

Don Joyce

Melissa Melendez

Jon Fuller

Kurti → Ah → 12

Mark Highland

B B D

Jill

Mike Monell 40

Ch

By

Jon Nielsen